

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE**

|  |   |                               |
|--|---|-------------------------------|
| <b>W.G. HAYES &amp; ASSOCIATES, LLC,</b> | ) |                               |
| <b>in its capacity as receiver for</b>   | ) |                               |
| <b>PREMIER UTILITIES &amp;</b>           | ) |                               |
| <b>SERVICES, INC.</b>                    | ) |                               |
|  | ) |                               |
| <b>Plaintiff,</b>                        | ) |                               |
|  | ) |                               |
| <b>v.</b>                                | ) |                               |
|  | ) | <b>CASE NO. 2:10-cv-00015</b> |
| <b>WIRES UNDERGROUND</b>                 | ) |                               |
| <b>CONSTRUCTION, INC.; ERNIE</b>         | ) | <b>JURY DEMAND</b>            |
| <b>WIRES; and CINCINNATI</b>             | ) |                               |
| <b>INSURANCE COMPANY,</b>                | ) |                               |
|  | ) |                               |
| <b>Defendants.</b>                       | ) |                               |

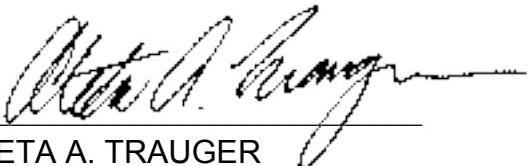
**AGREED ORDER OF DISMISSAL WITH PREJUDICE**

Whereas, as evidenced by the signatures of counsel for the parties below, that the parties hereto have collectively agreed that W.G. Hayes & Associates, LLC (“W.G. Hayes”), in its capacity as receiver for Premier Utilities & Services (“PSI”) will dismiss with prejudice all claims against Defendants Wires Underground Construction, Inc. (“WUCI”), Ernie Wires in his individual capacity, and Cincinnati Insurance Company (“CIC”). Additionally, the parties hereto have agreed that WUCI will contemporaneously dismiss with prejudice the counterclaims asserted against W.G. Hayes as receiver. All parties hereto participated in a successful mediation on June 23, 2010, resulting in a settlement of the claims asserted by W.G. Hayes against Defendants and the counterclaims asserted by WUCI. This agreed order of dismissal with prejudice is filed pursuant the request of the court upon entering a Joint Mediation Statement on July 29, 2010.

Accordingly, it is hereby ORDERED, ADJUDGED and DECREED that all causes of action filed between the parties herein are dismissed with prejudice.

IT IS SO ORDERED.

Entered this 1st day of September, 2010.

  
ALETA A. TRAUGER  
UNITED STATES DISTRICT JUDGE

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